

### **Remarks**

The Applicants have amended Claims 5 and 7 to recite that the polyurethane or polyurethane solution is mixed with predetermined amounts and colors of at least one each of the yellow, red and blue pigments. Support may be found in the Applicants' Specification such as in paragraph [0064], for example. Entry into the official file is respectfully requested.

Claims 5 and 7 stand rejected under 35 USC §103 over the combination of Streicher with Fukushima. Similarly, Claims 6 and 8 stand rejected under 35 USC §103 over the further combination of Pedain with Streicher and Fukushima. The Applicants note with appreciation the Examiner's helpful comments hypothetically applying those combinations against the respective sets of claims. The Applicants, nonetheless, respectfully submit that those combinations actually lead away from the claimed subject matter as recited in the Applicants' Response dated July 28, 2008. The Applicants also note with appreciation the Examiner's additional comments acknowledging selected portions of the Applicants' previous arguments distinguishing over the combinations, but noting that the subject matter of those arguments was not actually included in the claims.

The Applicants have, as noted above, amended Claims 5 and 7 to recite that the polyurethane or polyurethane solution is mixed with predetermined amounts and colors of at least one each of the yellow, red and blue pigments. This language is in accordance with the comment in that rejection noting that the claims do not recite that feature. The Applicants, therefore, respectfully submit that the validity of the prior arguments is still compelling, but now, Claims 5 and 7 contain that same subject matter. Thus, the Applicants respectfully submit that all of Claims 5, 6, 7 and 8 distinguish over the various combinations.

In that regard, the Applicants note their earlier arguments that Fukushima teaches that adding pigments to an elastomer binder prior to impregnating the fiber mat with the elastomer results in

complications in industrial manufacture and an inferior product. These teachings are set forth in col. 2, lines 9 – 24 in Fukushima. Fukushima proposes a different process wherein polymer fibers are colored throughout with a “dope dye” consisting of various organic or inorganic pigments prior to forming a fibrous mat. At that point, the fibrous mat is impregnated with a binder containing an elastomer to form a sheet material.

The Applicants, therefore, respectfully submit that Fukushima actually teaches those skilled in the art not to add pigment to the elastomer binder. Instead, Fukushima teaches adding pigment to the fibers prior to forming and impregnating the fiber’s mat. This means that one seeking to modify Fukushima by incorporating the pigments taught by the secondary reference would be guided toward adding pigments to the fibers and away from adding pigments to the elastomer binder as now specifically claimed by the Applicants. In particular, the rejected claims recite a polyurethane or polyurethane solution that is mixed with predetermined amounts and colors of at least one of yellow, red and blue pigments. That polyurethane solution is mixed with predetermined amounts and colors of pigments prior to impregnating fiber-entagled substrate. The Applicants, therefore, respectfully submit that even if one skilled in the art were to combine Fukushima with the other publications, the result of that combination would still be quite different from what the Applicants now recite in Claims 5 and 7. Withdrawal of the rejection is respectfully requested.

The Applicants respectfully request that the above amendments and remarks be entered into the official file inasmuch as they do not raise new issues and do not necessitate a new search. The arguments made in the Applicants’ last argument and addressed specific issues raised in this rejection and are in accordance with placing the scope of the claims within the aforementioned arguments and the aforementioned comments recited in the rejection. Thus, the Applicants

respectfully request that the amendments and arguments be entered into the official file so that the entire Application can now be placed into condition for allowance.

In light of the foregoing, the Applicants respectfully submit that the Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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